

**ORDINANCE 2003-Or-\_\_\_\_**  
**By Niziolek**

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 244.200 of the above-entitled ordinance be amended to read as follows:

**244.200. Required.** No person shall occupy, ~~or allow to be occupied or let to another for occupancy~~ any cooperative, ~~or condominium or townhouse building or any rental units within any cooperative or condominium building~~ for which a registration statement has not been properly filed with the director of inspections. The provisions of this article shall not apply to leasehold cooperatives, as defined in Minn. Statute Section 273.124, Subd. 6. The payment of fees set forth in section 244.220 of this chapter shall be a prerequisite to this required registration. Such registration statement shall be made and filed on a form furnished by the director of inspections for such purpose and shall set forth the following information:

- (a) Name, address, phone number and date of birth of the owner of a contact person, a person appointed by the association to be responsible for managing the rental unit or common areas of the building or complex of buildings, or an agent authorized by the owner to accept service of process and to receive and give receipt for notices. In cases where the owner of a dwelling The contact person shall reside outside inside of the sixteen-county metropolitan area consisting of the following counties: Hennepin, Rice, Wright, Anoka, Washington, McLeod, Ramsey, Dakota, Scott, Carver, Sherburne, Isanti, Chisago, Sibley, Leseuer and Goodhue. A post office box number or commercial mail service is not acceptable for an address; the owner's agent/contact person shall reside within the sixteen-county metropolitan area;
- ~~(b) — Name, residence address and date of birth of any operator or agent actively managing said building (post office box number is not acceptable for an address);~~
- (b) Name, address, phone number and position of the board members of the association;
- (c) Street address of the building or complex of buildings;
- ~~(d) — Number and kind of units within the building or complex of buildings (dwelling units or rooming units);~~
- (d) Address of each building within the complex of buildings and the unit numbers of each unit within the building. For each rental dwelling unit within the building or complex of buildings, identify the rental dwelling by address and unit number, and provide the owner's name and address.
- ~~(e) — Name, phone number, address and date of birth of a person authorized to make or order made repairs and/or service to the rental unit or common areas of the building or complex of buildings to provide required services necessary to protect the health, safety and welfare of the occupants or is able to contact a person so authorized. The apartment number of a resident caretaker authorized to provide the required~~

~~services as set out in this paragraph, or able to contact a person so authorized, may be substituted for the telephone number required herein. The phone number herein required shall be of a phone located so as to be normally answerable twenty-four (24) hours a day, seven (7) days a week, not subject to normal business hours. The foregoing provision need not be complied with if the registrant's name and address, as shown on the registration card, is so listed in the white pages of the Minneapolis or St. Paul directories, and the phone number listed therein is normally answerable twenty-four (24) hours a day, seven (7) days a week, not subject to normal business hours;~~

(f)(e) The director of inspections shall enclose with the registration billing a ~~certificate of registration~~ new application to be completed by the registrant and returned with the proper registration fees. Upon receipt of the proper registration fee and the completed ~~certificate of application for~~ registration, the director of inspections shall mail to the registrant a ~~statement of registration along with the~~ certificate of registration indicating the property is registered and proper payment has been made.

Section 2. That Section 244.220 of the above-entitled ordinance be amended to read as follows:

**244.220. Annual registration; fee; change of status.** All buildings or building complexes required to be registered pursuant to the provisions of this article shall be registered prior to occupancy and thereafter all registrations of such buildings or building complexes shall be renewed annually on or before a date established by the director of inspections.

Upon failure to comply with this provision, the annual renewal registration fee to be paid shall be increased by fifty (50) per cent when more than fifteen (15) calendar days late.

The annual fee for registration of the common areas in a cooperative, ~~or~~ condominium or townhouse building, or complex of buildings under the same association and management, shall be as follows:

0 to 5 units . . . \$ ~~20.00~~35.00

6 to 15 units . . . ~~35.00~~50.00

16 to 50 units . . . ~~50.00~~75.00

Over 50 units . . . ~~100.00~~125.00

~~The annual fee for registration of rental units within a cooperative or condominium building is twenty-four dollars (\$24.00) for the first dwelling unit and twelve dollars (\$12.00) for each additional dwelling unit under same ownership in the building.~~

No registration shall be assignable. For a change in ~~ownership~~ the contact person, or any change made in the number of units in the building or complex of buildings, then a new registration statement shall be properly made and filed with the director of inspections within ~~twenty (20)~~ fourteen (14) days from the date of such event, in the same manner and form as herein prescribed. ~~and the fee for such new registration or~~

~~change in presently registered property shall be twenty dollars (\$20.00). Upon failure to comply within twenty (20) days of such event of a new or reregistration of the property, the fee of twenty dollars (\$20.00) shall be increased by fifty (50) per cent and added to the regular registration fees due to be paid.~~

Should the registrant submit a registration fee that is more than the required amount printed on the registration statement; or a fee which includes a late payment penalty amount when such late payment is not required; or should registrant request a second registration statement to replace one which has been lost or misplaced and later submit payments on both the original and replacement statements, then such monies will be accepted by the department. Refund of such payments made in error shall be made upon written request of the registrant within ninety (90) days of the payment of the registration fee. The city finance officer shall refund such overpayment by issuing a check to the registrant for the amount paid in error, upon receipt of a check request approved by the department of inspections. Said request shall contain the name and address of the registrant, the housing registration reference number, and the amount to be refunded.

Section 3. That Section 244.230 of the above-entitled ordinance be amended to read as follows:

**244.230. Posting.** Every registrant of a building or complex of buildings shall post a receipted copy of the current registration containing the information required by section 244.200(a) through (e) when received from the director of inspections. This item shall be conspicuously posted (in a frame with transparent cover) by the registrant in a public corridor, hallway or lobby of the building for which it is issued. If a public corridor, hallway, or lobby does not exist, the association shall provide dwelling unit owners with a copy of the certificate of registration.

Section 4. That Section 244.240 of the above-entitled ordinance be and is hereby repealed.

~~**244.240. Requirement of notification.** The owner or owners of any building which is required to be registered by this chapter shall, prior to the time of sale of said building, notify the buyer or prospective buyer in writing of any unabated order or violation tags issued by the department of inspections pertaining to said building, as well as the requirement of law that said building, upon acquisition by a new owner, must be registered with the director of inspection within twenty (20) days of acquisition. A copy of the notification shall be mailed to the director of inspections within five (5) days of furnishing the notification to the buyer. If the building is owned by a corporation, the officers of said corporation shall carry out the notification required by this section. If the building is owned by more than one person, or if there is more than one officer, a notification by one of the owners, or by one of the officers, shall satisfy this section. For the purposes of this section, "time of sale" shall be construed to mean when a written purchase agreement is executed by the buyer or, in the absence of a purchase agreement, prior to the execution of any document providing for the conveyance of a building required to be registered.~~

Section 5. That Section 244.1820 of the above-entitled ordinance be amended to read as follows:

**244.1820. Applicability and exceptions.** (a) The provisions of this article shall apply to all rental dwellings and dwelling units, including rented single-family dwellings and rented dwelling units in owner-occupied dwellings, as well as to rented condominiums, rented townhouses and leasehold cooperative dwelling units, as those terms are defined in Minn. Statute Section 273.124, Subd. 6, Minn. Statute Chapter 515A, Minnesota law and this Code.

(b) The provisions of this article shall not apply to hotels licensed under Chapter 297 of this Code; lodging houses licensed under Chapter 298 of this Code; jails; convents; monasteries; licensed nursing homes; licensed board and care homes; parsonages; parish houses; manses and rectories; hospitals; and owner-occupied dwelling units in a cooperative, ~~or condominium or townhouse~~ building.

Section 6. That Section 244.1830 (a) of the above-entitled ordinance be amended to read as follows:

**244.1830. What the license covers.** (a) One license shall be issued for each building with rental dwelling units and shall be deemed to cover ~~all~~ only such dwelling units under single ownership.

Section 7. That Section 244.1850 of the above-entitled ordinance be amended to read as follows:

**244.1850. Provisional licenses.** The director of inspections may issue a provisional license to the owner of a rental dwelling who has submitted an application and paid the license fee required by this article. A provisional license shall authorize the continued occupancy of rental dwelling units in actual existence on the effective date of this article, pending issuance of a rental dwelling license. A provisional license shall authorize the continued occupancy of dwelling units converted to rental usage after the effective date of this article, which shall be inspected within one year of issuance. Dwelling units constructed ~~or converted to~~ for rental usage after the effective date of this article shall not be eligible for a provisional license, ~~and shall not be occupied for human habitation prior to the issuance of the required license.~~

A provisional license indicates only that the owner has submitted an application for a license and paid the required fee, and that the license shall be issued or denied after the building has been inspected for compliance with the minimum standards set forth in section 244.1855 of this article. A provisional license is not a determination that the building complies with the housing maintenance code or the minimum standards set forth in this article.

As a condition of a provisional license or annual renewal of such license, the applicant shall sign a statement affirming that the licensee meets the standards of section 244.1910, subsections (11) through (14).